

REMARKS

Claims 56-73 are pending in this application. Claims 64-73 have been withdrawn. Claims 56-63 stand rejected under 35 USC 102(b) as being anticipated by Park et al. (Society for Biomaterials article).

In spite of the factual and legal arguments presented by Applicants in the preceding response, the Action maintains that the materials and work-up disclosed by the cited Park et al. reference inherently possess average pore sizes in the recited range. Moreover, the Action maintains that the burden is on Applicants to prove the referenced teachings do not necessarily afford hydrogels having the claimed average pore sizes.

In the interest of expediting prosecution, without having to conduct what Applicants regard as unnecessarily burdensome additional experiments, Applicants submit herewith a Petition to Suspend Action for cause under 37 CFR 1.103(a). The requested time period and showing of good and sufficient cause for suspension are presented in the accompanying petition. It is believed that once prosecution recommences after the period of suspension, any basis for the outstanding rejection will be removed and the application can proceed to allowance.

If, in the opinion of the Examiner, a telephone conversation could expedite prosecution, the Examiner is invited to telephone the undersigned at the number given below.

Respectfully submitted,


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CERTIFICATE OF MAILING

I, James H. Meadows, hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date December 1, 2003 Signature: 